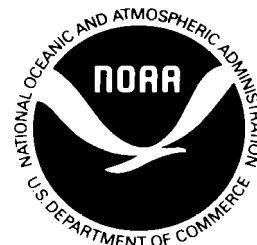


# NE Multispecies Small Mesh Fishery Exemptions



## **Exempted Fisheries**

*An exempted fishery is one that the Regional Administrator has determined will result in a minimal bycatch of regulated multispecies and will not jeopardize fishing mortality objectives. Specifically, the percentage of regulated multispecies bycatch must be less than 5 percent by weight of total catch. For directions on how to request an exempted fishery, see page 7.*

## **Gulf of Maine/Georges Bank (GOM/GB) Regulated Mesh Area:**

The following fisheries have been determined to be consistent with the exemption criteria:

- 1) **Northern Shrimp Fishery & Scallop Dredge Fishery within the Small Mesh Northern Shrimp Fishery Exemption Area:** as defined by the following coordinates, provided the vessel complies with the specifications listed below.

### **Small Mesh Northern Shrimp Fishery Exemption Area**

<u>Latitude</u>	<u>Longitude</u>
41°35' N.	70°00' W.
41°35' N.	69°40' W.
42°49.5' N.	69°40' W.
43°12' N.	69°00' W.
43°41' N.	68°00' W.
43°58' N.	67°22' W. (the U.S.-Canada Maritime Boundary)
(1)	(1)

(1) Northward along the irregular U.S.-Canada maritime boundary to the shoreline.

#### **Northern Shrimp Fishery Specifications:**

- a) Vessels must have a properly configured and installed finfish excluder device in any net with mesh smaller than the minimum specified size. The finfish excluder device must be configured and installed consistent with the proper specifications.
- b) Vessels may only fish under this exemption during the northern shrimp season, as established by the Atlantic States Marine Fisheries Commission (ASMFC). The northern shrimp season is December 1 through May 30, or as modified by the ASMFC.
- c) In addition to shrimp, the following species may be retained, with the restrictions noted, as allowable bycatch species in the northern shrimp fishery: Longhorn sculpin; silver hake (whiting) up to an amount equal to the weight of shrimp on board, not to exceed 3,500 pounds; and American lobster up to 10 percent by weight of all other species on board up to 100 lobsters for trips of 24 hours or less or 200 lobsters for trips longer than 24 hours, whichever is less (Atlantic States Marine Fisheries Commission rule).

**GOM Scallop Dredge Fishery Specifications:**

- a) Scallop dredge must not exceed 10.5 feet in width, or in combined width if two dredges are used.
- b) The exemption does not apply to the Western Gulf of Maine closure area.
- c) No species other than Atlantic sea scallops may be retained when fishing in this exempted fishery.

2) Cultivator Shoal Whiting (silver hake) Fishery Exemption Area as defined by the following coordinates, provided the vessel complies with the specifications listed below.

**Cultivator Shoal Whiting Fishery  
Exemption Area**

<u>Latitude</u>	<u>Longitude</u>
42°10' N.	68°10' W.
41°30' N.	68°41' W.
41°30' N.	68°30' W.
41°12.8' N.	68°30' W.
41°05' N.	68°20' W.
41°55' N.	67°40' W.
42°10' N.	68°10' W.

**Cultivator Shoal whiting specifications:**

- a) Vessels fishing in this fishery must have on board an authorizing letter issued by the Regional Administrator. To obtain an authorization, call (978) 281-9278.
- b) Vessels must comply with a minimum mesh size of 3 inches applied to the first 160 meshes counted from the terminus of the net.
- c) Authorized vessels may fish under this exemption during the season of June 15 through September 30, unless otherwise specified by publication of a notification in the Federal Register.
- d) When transiting through the GOM/GB regulated mesh area, nets of mesh smaller than the regulated mesh size must be stowed properly.
- e) Vessels enrolled in the Cultivator Shoal Whiting Exemption Area Fishery may possess up to 30,000 pounds of whiting and offshore hake combined.
- f) In addition to whiting, the following species may be retained, with the restrictions noted, as allowable bycatch species in the Cultivator Shoal whiting fishery exemption area: herring, longhorn sculpin, squid, butterfish and mackerel; red hake, dogfish, monkfish and monkfish parts up to 10 percent by weight of all other species on board; and American lobster up to 10 percent by weight of all other species on board up to 100 lobsters for trips of 24 hours or less or 200 lobsters for trips longer than 24 hours, whichever is less Atlantic States Marine Fisheries Commission rule).

- 3) Small Mesh Area 1/Small Mesh Area 2 exemption areas as defined by the following coordinates, provided the vessel complies with the specifications listed below.

**Small Mesh Area 1**

<u>Latitude</u>	<u>Longitude</u>
43°03' N.	70°27' W.
42°57' N.	70°22' W.
42°47' N.	70°32' W.
42°45' N.	70°29' W.
42°43' N.	70°32' W.
42°44' N.	70°39' W.
42°49' N.	70°43' W.
42°50' N.	70°41' W.
42°53' N.	70°43' W.
42°55' N.	70°40' W.
42°59' N.	70°32' W.
43°03' N.	70°27' W.

**Small Mesh Area 2**

<u>Point</u>	<u>Latitude</u>	<u>Longitude</u>
SM13	43°05.6'	69°55.0'
SM14	43°10.1'	69°43.3'
SM15	42°49.5'	69°40.0'
SM16	42°41.5'	69°40.0'
SM17	42°36.6'	69°55.0'
SM13	43°05.6'	69°55.0'

Small Mesh Area 1\*/Small Mesh Area 2 specifications:

- a) For Small Mesh Area I, the fishing season is July 15 through November 15. For Small Mesh Area 2, the fishing season is January 1 through June 30.

\* Vessel operators are reminded that portions of Small Mesh Area I fall within the state jurisdiction of Massachusetts and New Hampshire. When fishing in state waters, vessel operators are subject to the more restrictive of federal or state regulations. Also, be aware that portions of Small Mesh Area 2 are affected by Inshore Closure Areas and are thus closed during these time periods.

- b) Vessels may fish for, possess on board, or land the following species of fish: Butterfish, dogfish, herring, mackerel, ocean pout, scup, squid, silver hake (whiting) and red hake. In addition, the following species of fish may be retained, with the restrictions noted, as bycatch: Longhorn sculpin; monkfish and monkfish parts up to 10 percent by weight of all other species on board; and American lobster up to 10 percent by weight of all other species on board up to 100 lobsters for trips of 24 hours or less or 200 lobsters for trips longer than 24 hours, whichever is less (Atlantic States Marine Fisheries Commission rule).

- c) Trawl vessels are required to use either a raised footrope or an excluder device in their trawl gear when fishing in Small Mesh Area I and II, depending on the species of fish

targetted. Vessels are considered to be fishing with a raised footrope if their trawl gear is designed according to the specifications outlined below:

- ▶ Eight inch diameter floats must be attached to the entire length of the headrope with a maximum spacing of 4 feet between floats;
- ▶ The ground gear must all be bare wire not larger than 1/2-inch for the top leg, not larger than 5/8-inch for the bottom leg, and not larger than 3/4-inch for the ground cables. The top and bottom legs must be equal in length with no extensions. The total length of ground cables and legs must not be greater than 40 fathoms from the doors to wingends;
- ▶ The footrope must be at least 20 feet longer than the length of the headrope; and
- ▶ The sweep must be rigged so it is behind and below the footrope, and the footrope is off the bottom. This is accomplished by having the sweep longer than the footrope and having long dropper chains attaching the sweep to the footrope at regular intervals. The forward end of the sweep and footrope must be connected to the bottom leg at the same point. This attachment, in conjunction with the headrope floatation, keeps the footrope off the bottom. The sweep and its rigging must be made entirely of 5/16 inch diameter bare chain. No wrapping or cookies are allowed on the chain. The total length of the sweep must be at least 7 feet longer than the total length of the footrope, or 3.5 feet longer on each side. Drop chains must connect the footrope to the sweep chain and the length of each drop chain must be at least 42 inches. One drop chain must be hung from the center of the footrope to the center of the sweep and one drop chain must be hung from each corner (the quarter or, the junction of the bottom wing to the belly at the footrope). The attachment points of each drop chain on the sweep and the footrope must be the same distance from the center drop chain attachments. Drop chains must be hung at 8-foot intervals from the corners towards the wing ends. The distance of the drop chain that is nearest the wing end to the end of the footrope may differ from net to net. However, the sweep must be at least 3.5 feet longer than the footrope between the drop chain closest to the wing ends and the end of the sweep that attaches to the wing end.

- 4) Nantucket Shoal Dogfish Fishery Exemption Area as defined by the following coordinates, provided the vessel complies with the specifications listed below:

**Nantucket Shoal Dogfish Exemption Area**

<u>Latitude</u>	<u>Longitude</u>
41°45' N	70°00' W.
41°45' N.	69°20' W.
41°30' N.	69°20' W.
41°30' N.	69°23' W.
41°26.5' N.	69°20' W.
40°50' N.	69°20' W.
40°50' N.	70°00' W.
<u>41°45' N</u>	<u>70°00' W.</u>

Nantucket Shoal Dogfish Fishery Exemption Area specifications:

- a) Vessels fishing in this fishery must have on board an authorizing letter issued by the Regional Administrator. To obtain an authorization, call (978) 281-9278.
- b) Authorized vessels may fish under this exemption during the season of June 1 through October 15.
- c) When transiting the GOM/GB regulated mesh area, nets of mesh smaller than the regulated mesh size must be stowed properly.
- d) In addition to dogfish, the following species may be retained, with the restrictions noted, as allowable bycatch species in the Nantucket Shoal Dogfish Fishery Exemption Area:  
Longhorn sculpin, up to two standard totes of silver hake (whiting); monkfish and monkfish parts up to 10 percent by weight of all other species on board; American lobster up to 10 percent by weight of all other species on board up to 100 lobsters for trips of 24 hours or less or 200 lobsters for trips longer than 24 hours, whichever is less; and skate or skate parts up to 10 percent by weight of all other species on board.
- e) Authorized vessels must comply with any additional gear restrictions specified in the authorization letter issued by the Regional Administrator.

- 5) Mid-Water Trawl & Purse Seine Exemption: Vessels using purse seine gear in the GOM/GB regulated mesh area and the SB/JL juvenile protection areas, may use mesh smaller than regulated mesh size provided that the vessel: (1) uses purse seine gear exclusively; (2) the vessel fishes for, possesses, or lands Atlantic herring, blueback herring, mackerel, or menhaden; and (3) the vessel is issued a purse seine gear authorization letter by the Regional Administrator. To obtain an authorization, call (978) 281-9278. Vessels using mid-water trawl gear in the GOM/GB regulated mesh area and the SB/JL juvenile protection areas, may use mesh smaller than regulated mesh size provided that the vessel: (1) uses mid-water trawl gear exclusively; (2) the vessel fishes for, possesses, or lands Atlantic herring, blueback herring, or mackerel in areas north of 42° 20' N. latitude and Atlantic herring, blueback herring, or mackerel, in all other areas south of 42° 20' N. latitude. A vessel may possess and land squid in all other areas south of 42° 20' N. latitude provided that the vessel fished outside Closed Area I, Closed Area II, and the Nantucket Lightship Closed Area; and (3) the vessel is issued a mid-water trawl gear authorization letter by the Regional Administrator. To obtain an authorization, call (978) 281-9278. In addition, vessels using mid-water trawl gear may engage in mid-water trawling for herring and mackerel in the multispecies closed areas provided that they comply with the conditions and requirements described above.

**Southern New England (SNE) Regulated Mesh Area:**

The following fisheries have been determined to be consistent with the exemption criteria:

- 1) Vessels may fish with, use, or possess nets of mesh smaller than the minimum size specified in the SNE regulated mesh area when fishing for the SNE exempted species: Butterfish, dogfish (trawl), herring, mackerel, ocean pout, scup, shrimp, squid, summer flounder, silver hake, and weakfish. Or SNE bycatch species: Conger eels, searobins, black sea bass, red hake, tautog (blackfish), blowfish, cunner, John Dory, mullet, bluefish, tilefish, longhorn sculpin, fourspot flounder, alewife, hickory shad, American shad, blueback herring, sea ravens, Atlantic

croaker, spot, swordfish, monkfish and monkfish parts-- 10 percent, by weight, of other species on board, American lobster-- up to 10 percent by weight of all other species on board up to 100 lobsters for trips of 24 hours or less or 200 lobsters for trips longer than 24 hours, whichever is less.

- 2) SNE Mussel & Sea Urchin Dredge Exemption Area: A year-round exempted dredge fishery for mussels and sea urchins in the SNE Regulated Mesh Area and Nantucket Shoals dogfish fishery exemption area (defined above) provided the vessel does not fish with dredge gear greater than 8 feet in width and does not fish for, possess, or land any species of fish other than mussels and sea urchins.
- 3) SNE Little Tunny Gillnet Exempted Fishery as defined below, provided the vessel complies with the specifications listed below.

### **SNE Little Tunny Exemption Area**

Defined by a line running from the Rhode Island shoreline at 41°18.2' N. latitude and 71°51.5' W. longitude (Watch Hill, RI) southwesterly through Fishers Island, NY; to Race Point, Fishers Island, NY; and from Race Point, Fishers Island, NY, southeasterly to 41°06.5' N. latitude and 71°50.2' W. longitude; east northeast through Block Island, RI, to 41°15' N. latitude and 71°07' W. longitude; then due north to the intersection of the RI-MA shoreline.

#### SNE Little Tunny Gillnet Exempted Fishery Specifications:

- a) From September 1 through October 31 an exempted fishery for little tunny may be conducted by vessels using gillnet gear only.
- b) Vessels fishing under this exemption are required to obtain and have on board a little tunny Letter of Authorization (LOA) issued by the Regional Administrator. To obtain an LOA, please call (978) 281-9278.
- c) Vessels fishing under this exemption are restricted to a minimum mesh size of 5.5 inches throughout the net.
- d) Vessels fishing under this exemption may not fish for, harvest, possess, or land any species of fish other than little tunny and the current small mesh exempted and bycatch species listed above in #1 of the SNE Regulated Mesh Area section. In addition, a limited number of vessels may retain Atlantic bonito as an allowable incidental catch species, provided they obtain an Exempted Fishing Permit (EFP) from the Highly Migratory Species Division of the NMFS. To obtain an EFP, please call (978) 281-9260.

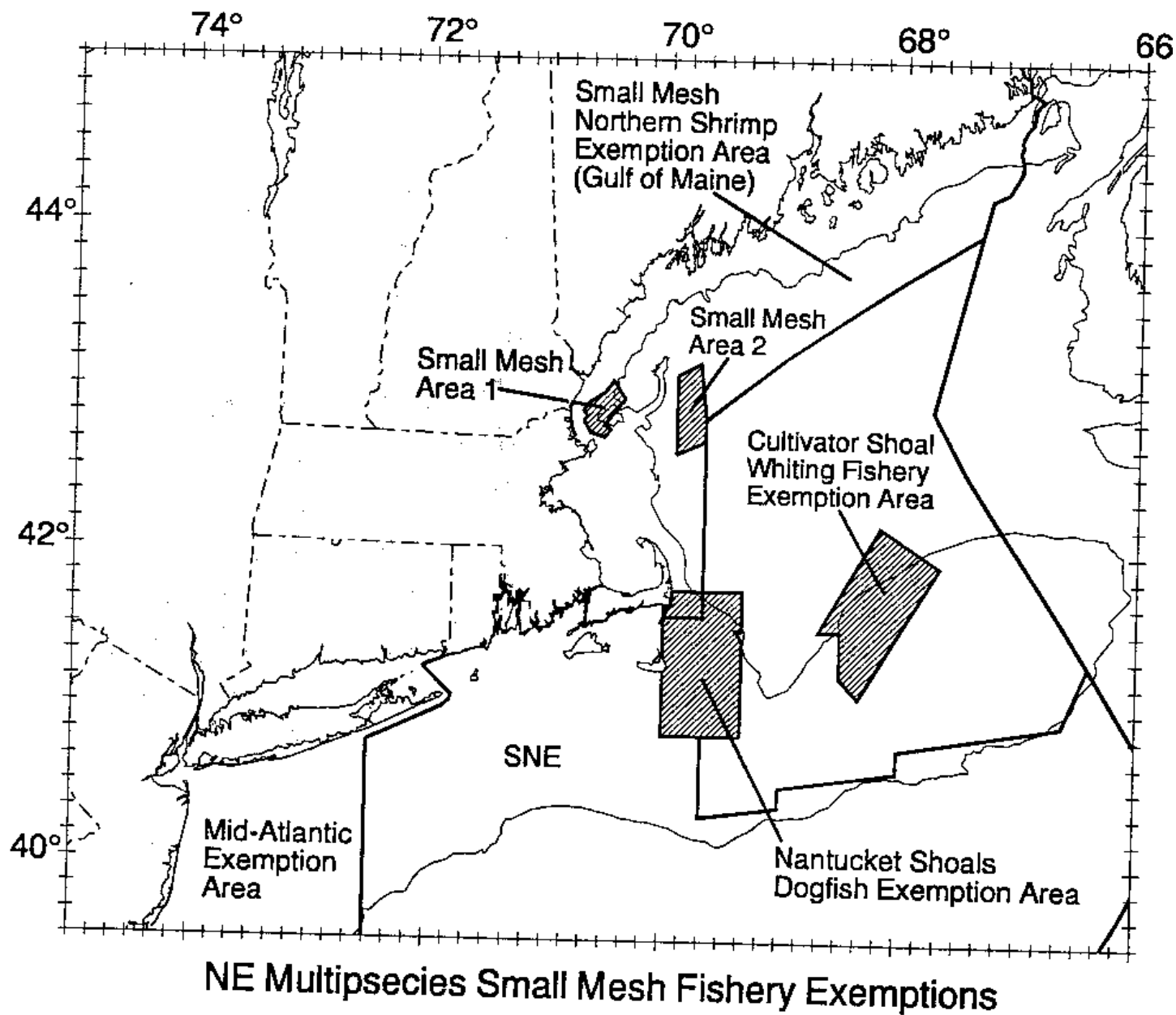
#### **Mid-Atlantic (MA) Regulated Mesh Area:**

Vessels fishing in the MA regulated mesh area are exempt from the 5% bycatch criteria specifications and may, therefore, fish in a fishery outside of a DAS, provided that they do not possess or land regulated multispecies finfish.

### **How to Request Fishery Exemptions**

An exempted fishery may be added, deleted or modified pursuant to the procedure described below:

1. Applicants must submit a written request to the Regional Administrator, NMFS, One Blackburn Drive, Gloucester, MA 01930-2298. The request should describe the area in which the fishery would operate, the period in which it would operate, the gear it would use, the approximate number of vessels likely to participate, and the species it would target, retain and land.
2. Those proposing that a fishery should be exempt should describe the fishery and present all information possible that helps determine that the fishery meets the bycatch standard. The Regional Administrator will investigate NMFS data sources, but proposals for exemptions should be complete and clear to facilitate the process. State agencies and universities, for example, may have additional data available and proposers may contact them for assistance.
3. When a request for an exempted fishery is submitted, the request and any accompanying data are reviewed by the Regional Administrator to determine whether such a fishery would meet the exemption qualifying criteria, which are described in the first paragraph of this information sheet. The Regional Administrator will also consult with the New England Fishery Management Council on any exemption requested. This process may take several months to complete.



This is a simplified summary of the measures in effect under the Northeast Multispecies Fishery Management Plan. This summary has no legal standing. You should also get a copy of the official rules as published in the Federal Register.